REMARKS

Claim 19 has been added and the remaining claims remain as previously presented or canceled (claim 6).

Regarding the rejection of claims 1-5 and 7-18 under 35 U.S.C. §103(a), Applicants are of the opinion that the four cited references do not teach or make obvious Applicants' invention as called for in claims 1-5 and 7-19.

Examiner's rejections and remarks appear unchanged from the Office Action dated March 11, 2003, with the exception of basing the §103(a) rejection further in view of an additional reference, Lesley, U.S. Patent No. 6,188,752.

The present application relates to a method for charging any kind of content and other services offered to individuals surfing the Internet, for example, information access, database searches, travel schedules and games (para. 0005), via a mobile telephone. The prior art references do not teach a charging method for such Internet services which is initiated and controlled by a mobile telephone, but rather only disclose billing or payment methods relating to communication services such as individual telephone call routing and Internet packet routing of telephone calls. Additionally, the references do not teach establishing a payment gateway and opening a micropayment account so that content and services from more than one provider can be authorized and verified. Rather, the references disclose billing or a single payment account directed to paying for communication services (telephone calls and transfer of data packets) by a single predetermined provider of communication services. In contrast, the present invention provides a method that is not limited to a single provider and is not limited to communication services.

Lesley, U.S. Patent No. 6,188,752, teaches a method for providing paid telecommunication services by maintaining a charge account in a database from which to draw funds for payment of communication services. Lesley does not teach a method for charging Internet services from various providers via a mobile telephone. Further, Lesley does not teach a payment gateway connected with the Internet and the mobile telephone network, whereby customer data is held centrally in a database of the payment gateway. Lesley is silent about a micropayment account opened at a bank.

Referring to Fig. 4A of Lesley, a subscriber of a communications service (both voice and data conducted between two or more telecommunications devices) (col. 4, lines 41-48) requests a prepay account and is assigned a record in a database including an account number

and associated prepaid monetary value (col. 2, lines 13-15). Referring to Fig. 5, upon the subscriber calling a specific phone number for prepaid calling service, the subscriber's database record is accessed to authorize the call. Thereafter, the prepaid monetary value in the subscriber's record is decreased in accordance with the service (col. 2, lines 15-24).

Farris et al., U.S. Patent No. 6,125,113, discloses a method for using the Internet to make calls, specifically, an Internet telephone service in which calls from telephone station to telephone station are carried over the Internet as data without maintaining a subscription to an Internet service. The method disclosed by Farris is completely different than the method of the present application which teaches using a mobile telephone to gain and pay for various services offered over the Internet as opposed to merely providing a billing method for the carrying of data over the Internet, as disclosed by Farris. In Farris, billing of the services is accomplished on a per-call basis with an Internet module (Fig. 4) in the originating telephone central office sending billing information to be recorded by the telephone switch journal in the conventional manner (col. 3, line 60 - col. 4, line 4; col. 10, lines 29-33). The disclosed architecture and method requires an Internet module at the sending and receiving central office (col. 7, line 66 - col. 8, line 12) which, upon initiation of an Internet-routed call, requests and provides agreement for temporary IP addresses for a certain time period (col. 9, lines 43-52). A DHCP server (Fig. 5) associated with the Internet module includes a billing capability which charges for the Internet-routed call based on start and stop time stamping attributed to the IP address assignment (col. 10, lines 33-40). The system also accommodates wireless access (Fig. 13; col. 13, lines 31-35). Farris is directed to an apparatus for routing calls through the Internet and accumulating charges based on call duration and does not disclose a method of subscriber billing or payment over the Internet.

Rönneke, U.S. Patent No. 6,515,989, discloses the collection of per-packet billing data in a packet data service by retrieving and processing all packets transported at a physical layer of the telecommunication network (col. 2, lines 20-29; Fig. 2). Billing is carried out in a conventional manner without using a payment gateway communication with a user account. Specifically, the collection of billing data is accomplished by adding an independent computing resource to the same Ethernet physical layer as that used by the traffic function computing resource (col. 4, lines 45-50; Fig. 2). The billing function computing resource retrieves every data packet sent in order to process, store and distribute billing data (col. 3, lines 13-27). The network system may be mobile or fixed (Fig. 2, lines 30-34). Rönneke is

directed to only the collection of billing information and does not disclose a method of billing or payment beyond the collection of billing data.

Jain et al., U.S. Patent No. 6,282,274, teaches selectable billing options in a billing system for a communications account of a network service subscriber. Billing options may be designated for allocating outgoing and incoming calls on a per-call basis to one of a plurality of service accounts assigned to the subscriber. The service accounts are established in a database, such as a service profile database indicating preferences for business calls, personal calls, and separate client accounts (col. 4, lines 1-15). Though the service profile may store a table of specific telephone numbers for each service account, each call may be specifically designated by entering a billing preference designator after transmitting a hook flash from a handset (cols. 9 and 10; col. 8, lines 21-34). Other types of communications, such as e-mail, multimedia, paging, etc., using Internet addresses, may also utilize the system of allocating a specific communication to one of the subscriber's service accounts (col. 12, lines 9-13). Thus, the invention is directed to facilitating accounting of communications to and from a single subscriber and does not disclose a method of billing or payment for Internet services.

In contrast to the combined teachings of Lesley, Farris, Rönneke, and Jain, Applicants' invention is directed to a method of establishing a secure payment system accessible by mobile telephone terminals and for authorizing and providing payment for content and services selected by the user from providers when surfing the Internet (substitute page 1A). Advantageously, account authorization must be verified by the mobile telephone terminal user and the provider (paragraphs 18 and 19), and sensitive customer data remains within the mobile telephone network and the payment gateway database and is not transmitted via the Internet (paragraph 15 and paragraphs from the previously reinstated Summary of the Invention).

Applicants' claim 1 and claim 19 call for the steps of establishing a payment gateway which is accessible by a mobile telephone Internet user and by a provider, where customer data of the user can be held centrally in a database of the payment gateway; opening a micropayment account at a bank, where the payment gateway and micropayment account are continuously synchronized; reserving a certain amount in the micropayment account via the payment gateway; transmitting actual charges from the provider to the payment gateway; and allocating actual charges to the reserved certain amount, wherein the payment gateway debits

the amounts to the micropayment account, credits the provider, and cancels the respective reserved certain amount. Claim 19 calls for the additional step of authenticating the customer via the mobile telephone network.

Farris, Rönneke, Jain, and Lesley do not individually or in combination teach or make obvious any of the steps called for by Applicants' claim 1. Rather, the references at best teach a billing scheme for Internet-routed telephone calls or voice communications provided by a single provider which provides per-call or per-data packet billing to one of a plurality of accounts associated with a particular service subscriber. The references do not suggest establishing a payment gateway which holds customer data and is accessible by both the user and the provider for reserving and authorizing a certain credit amount in a micropayment account and allocating and debiting amounts against the reserved amount to pay for Internet services.

Applicants' invention advantageously provides a secure method of handling briefly held agreements and payment for providing Internet content from multiple providers in a low-cost secure fashion via a mobile telephone terminal without requiring electronic purse money or customer data to be held by the mobile telephone terminal, as recited by Applicants' claim 2 (substitute page 1A); and without requiring subscriber account numbers to be transferred over the mobile telephone network, but rather authenticating the customer via the mobile telephone network as recited by Applicants' claims 5, 11-13 and 19.

Applicants' claims 4, 9 and 10 further call for the step of limiting sensitive data safely within the mobile telephone network and not transmitting sensitive data via the Internet. Applicants' claims 14-18 further call for receiving matching data relating to the reserved certain amount from the user mobile telephone terminal and the provider, thus providing added security.

The further steps and recitations called for by Applicants' claims 2, 4, 7-10, and 13-19 are not disclosed by nor obvious over Farris, Rönneke, Jain, and Lesley individually or in combination.

Additionally, the references do not suggest or make obvious the method of amended claim 7, namely coupling standard dealer software with standard Internet payment systems and Internet-enabled standard mobile telephone terminals.

Applicants therefore submit that Farris et al. in view of Rönneke, Jain, and Lesley do not suggest or make obvious Applicants' invention as called for in claims 1-5 and 7-19, and the claims are therefore in condition for allowance.

Regarding the rejection of claims 1-5 and 7-18 under 35 U.S.C. §112, second paragraph, the Examiner has not provided the particular terms or recitations of the claims that are considered deficient or a proper explanation of the deficiency.

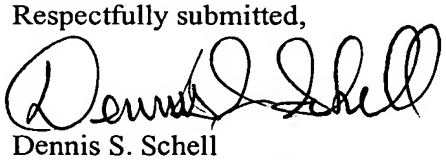
Applicants respectfully submit that claims 1-5 and 7-19 are definite as presented and particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In view of the foregoing, Applicants submit that the application, as amended, is in condition for allowance, and such favorable action is respectfully requested.

In the event any extension of time or payment of fee is required, Applicants hereby conditionally petition therefor and authorize any charges to be made to Deposit Account No. 02-0385, BAKER & DANIELS.

Should the Examiner have any questions or suggestions which would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at (317) 237-1117.

Respectfully submitted,



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Date